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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,654	03/31/2004	Winstead B. Weaver	PLI-1203	3412
24984	7590	09/07/2005	EXAMINER	
ALBERT O COTA 5460 WHITE OAK AVE SUITE A-331 ENCINO, CA 91316			RICHTER, SHELDON J	
			ART UNIT	PAPER NUMBER
			3748	

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/812,654

Applicant(s)

WEAVER, WINSTEAD B.

Examiner

Sheldon J. Richter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 15 is/are rejected.
- 7) ☒ Claim(s) 5-14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kane et al. Fig. 2 of Kane et al teaches a co-generation turbocharged turbine system having a gas turbine 10 having an air intake 20 and an exhaust outlet, a turbocharger having a driven rotor and a drive rotor on a common power shaft 140, in fluid communication from said gas turbine exhaust outlet to the driven rotor, and in fluid communication to said gas turbine air intake from the drive rotor of the turbocharger for increasing the turbine's power and efficiency, and a work load 150 connected to said turbocharger common power shaft changing the exhaust force from combustion within the gas turbine into rotary motion on the turbocharger common power shaft to create usable energy.

3. Claims 1-2, 4 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Ranasinghe et al. Fig. 1 of Ranasinghe et al teaches a co-generation turbocharged turbine system having a

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gas turbine 10 having an air intake 12 and an exhaust outlet, a turbocharger having a driven rotor and a drive rotor on a common power shaft 26, in fluid communication from said gas turbine exhaust outlet to the driven rotor, and in fluid communication to said gas turbine air intake from the drive rotor of the turbocharger for increasing the turbine's power and efficiency, and a work load 28 connected to said turbocharger common power shaft changing the exhaust force from combustion within the gas turbine into rotary motion on the turbocharger common power shaft to create usable energy.

4. Claims 1-2, 4 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hines et al. Fig. 2 of Hines et al teaches a co-generation turbocharged turbine system having a gas turbine 46 having an air intake 14 and an exhaust outlet, a turbocharger having a driven rotor and a drive rotor on a common power shaft 50, in fluid communication from said gas turbine exhaust outlet to the driven rotor, and in fluid communication to said gas turbine air intake from the drive rotor of the turbocharger for increasing the turbine's power and efficiency, and a work load 52 connected to said turbocharger common power shaft changing the exhaust force from combustion within the gas turbine into rotary motion on the turbocharger common power shaft to create usable energy.

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Kane et al, Ranasinghe et al or Hines et al. The additionally cited subject matter is deemed to be an obvious design modification.

Allowable Subject Matter

7. Claims 5-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheldon

J. Richter whose telephone number is (571) 272-4863. The examiner can normally be reached on M-F from 9:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS E. DENION can be reached on (571) 272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Sheldon Richter', with a stylized flourish at the end.

Sheldon J Richter
Primary Examiner
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